

Library and Historical
Commission
Austin, Texas

SENATE JOURNAL.

FIRST DAY.

Senate Chamber,
Austin, Tex., Tuesday, Aug. 6, 1901.

In obedience to the proclamation of His Excellency, Joseph D. Sayers, Governor of the State of Texas, convening the Twenty-seventh Legislature in special session, this the 6th day of August, 1901, the Senate met at 12 o'clock, noon, and was called to order by Lieutenant-Governor Browning.

The roll was called, a quorum being present, the following Senators answering to their names:

SENATORS PRESENT—27.

J. T. Beaty, of Jasper county, representing District No. 14, composed of the following counties: Nacogdoches, San Augustine, Sabine, Newton, Jasper, Tyler, Liberty, Hardin, Orange, Jefferson.

A. B. Davidson, of DeWitt county, representing District No. 29, composed of the following counties: Jackson, Calhoun, Victoria, DeWitt, Goliad, Refugio, Bee, Live Oak, Karnes, Wilson, Atascosa, McMullen, La Salle, Frio.

R. V. Davidson, of Galveston county, representing District No. 17, composed of the following counties: Chambers, Galveston, Brazoria, Matagorda, Wharton.

Arch Grinnan, of Brown county, representing District No. 26, composed of the following counties: Erath, Comanche, Mills, San Saba, McCulloch, Concho, Runnels, Coleman, Brown.

W. A. Hanger, of Tarrant county, representing District No. 30, composed of the following counties: Tarrant, Parker, Hood, Somervell.

Theodore Harris, of Bexar county, representing District No. 24, composed of the following counties: Bexar, Medina, Bander, Kendall, Kerr, Gillespie.

C. O. James, of Hopkins county, representing District No. 2, composed of the following counties: Red River, Titus, Camp, Franklin, Hopkins, Delta.

B. H. Johnson, of Navarro county, representing District No. 9, composed of the following counties: Navarro, Henderson, Kaufman.

L. Lloyd, of Cherokee county, repre-

sending District No. 13, composed of the following counties: Anderson, Cherokee, Houston, Angelina, Trinity.

A. G. Lipscomb, of Waller county, representing District No. 16, composed of the following counties: Harris, Fort Bend, Waller, Austin.

Barry Miller, of Dallas county, representing District No. 6, composed of the following counties: Dallas, Rockwall.

George D. Neal, of Grimes county, representing District No. 15, composed of the following counties: Leon, Madison, Grimes, Montgomery, Walker, San Jacinto, Polk.

D. W. Odell, of Johnson county, representing District No. 10, composed of the following counties: Ellis, Johnson, Hill.

D. E. Patterson, of Bell county, representing District No. 27, composed of the following counties: Bell, Lampasas, Coryell, Hamilton, Bosque.

D. A. Paulus, of Lavaca county, representing District No. 18, composed of the following counties: Colorado, Lavaca, Fayette.

C. L. Potter, of Cooke county, representing District No. 4, composed of the following counties: Grayson, Cooke.

George W. Savage, of Montague county, representing District No. 31, composed of the following counties: Denton, Wise, Montague.

W. P. Sebastian, of Stephens county, representing District No. 28, composed of the following counties: Palo Pinto, Stephens, Eastland, Callahan, Taylor, Nolan, Mitchell, Howard, Martin, Andrews, Glascock, Midland, Ector, Winkler, Loving, Ward, Crane, Upton, Reeves, Gaines, Yoakum, Terry, Lynn, Dawson, Borden, Garza, Kent, Scurry, Fisher, Stonewall, Haskell, Jones, Shackelford.

R. N. Stafford, of Wood county, representing District No. 7, composed of the following counties: Rains, Van Zandt, Wood, Smith, Gregg, Upshur.

S. L. Staples, of Bastrop county, representing District No. 19, composed of the following counties: Washington, Burleson, Lee, Bastrop.

J. J. Swann, of Falls county, representing District No. 11, composed of the

following counties: McLennan, Falls, Milam.

D. McNeill Turner, of Nueces county, representing District No. 23, composed of the following counties: Cameron, Hidalgo, Starr, Zapata, Webb, Encinal, Duval, Nueces, San Patricio, Aransas.

W. W. Turney, of El Paso county, representing District No. 25, composed of the following counties: Llano, Mason, Kimble, Menard, Schleicher, Sutton, Crockett, Tom Green, Coke, Sterling, Irion, Pecos, Buchel, Foley, Brewster, Presidio, Jeff Davis, El Paso, Val Verde, Edwards, Kinney, Uvalde, Zavala, Dimmit, Maverick.

John A. Wayland, of Robertson county, representing District No. 12, composed of the following counties: Limestone, Freestone, Robertson, Brazos.

C. A. Wheeler, of Fannin county, representing District No. 3, composed of the following counties: Lamar, Fannin.

J. R. Wilson, of Bowie county, representing District No. 1, composed of the following counties: Bowie, Cass, Marion, Morris.

W. D. Yett, of Burnet county, representing District No. 20, composed of the following counties: Williamson, Travis, Burnet.

SENATORS ABSENT—4.

J. B. Dibrell, of Guadalupe county, representing District No. 21, composed of the counties of Gonzales, Caldwell, Guadalupe, Comal, Hays, Blanco.

D. F. Goss, of Baylor county, representing District No. 29, composed of the following counties: Jack, Young, Throckmorton, Clay, Archer, Wichita, Wilbarger, Baylor, Knox, Foard, Harde-
man, King, Dickens, Crosby, Lubbock, Hockley, Cochran, Bailey, Lamb, Hale, Hall, Briscoe, Swisher, Castro, Parmer, Deaf Smith, Randall, Armstrong, Don-
ley, Collingsworth, Wheeler, Gray, Car-
son, Potter, Oldham, Hartley, Moore, Hutchinson, Roberts, Hemphill, Lips-
comb, Ochiltree, Hansford, Sherman, Dallam, Floyd, Motley, Cottle, Childress.

E. W. Harris, of Hunt county, representing District No. 5, composed of the following counties: Collin, Hunt.

M. P. McGee, of Harrison county, representing District No. 8, composed of the following counties: Harrison, Rusk, Panola, Shelby.

Prayer was offered by the Chaplain, Rev. I. S. Davenport.

GOVERNOR'S PROCLAMATION.

The President here laid before the Sen-
ate the executive proclamation conven-
ing the Legislature in extraordinary

session, which was read, being as fol-
lows:

PROCLAMATION BY THE GOV- ERNOR OF THE STATE OF TEXAS.

EXECUTIVE OFFICE,
STATE OF TEXAS,
AUSTIN.

I, Joseph D. Sayers, Governor of the State of Texas, by virtue of the author-
ity vested in me by the Constitution
thereof, do hereby call a special session
of the Twenty-seventh Legislature, to
convene in the city of Austin beginning
at noon, Tuesday, August 6, 1901, for
the following purposes, to wit:

1. To make appropriations for the
support of the State government and for
the public service for the fiscal years be-
ginning September 1, 1901, and ending
August 31, 1903.

2. To apportion the State for con-
gressional, senatorial, representative and
judicial purposes.

3. To consider and act upon such
other matters as may be presented by
the executive pursuant to Section 40,
Article 3, of the Constitution.

In witness whereof, I have here-
unto set my hand and caused
[Seal.] the seal of State to be affixed
at Austin this 21st day of
June, A. D. 1901.

JOSEPH D. SAYERS,

By the Governor: Governor.

JOHN G. TOD,

Secretary of State.

STATE OF TEXAS,
DEPARTMENT OF STATE.

I, John G. Tod, Secretary of State of
the State of Texas, do hereby certify that
the above and foregoing is a true and
correct copy of the proclamation issued on
the 21st day of June, A. D. 1901, by the
Governor of the State of Texas, conven-
ing the Twenty-seventh Legislature in
special session on the 6th day of August,
A. D. 1901, as now appears of record on
page No. 498, in Book No. 293, Execu-
tive Record, "Proclamations."

In testimony whereof, I here-
unto sign my name and affix
[Seal.] the Seal of State at the city
of Austin on this the 3rd day
of August, A. D. 1901.

JOHN G. TOD,
Secretary of State.

COMMITTEES OF NOTIFICATION.

On motion of Senator Turner, two
committees of three members each were
appointed by the Chair to notify the
Governor and the House of Representa-
tives of the Senate's organization.

The Chair here announced the following committees:

To notify the Governor—Senators Turner, Neal and Sebastian.

To notify the House of Representatives—Senators Stafford, Potter and Swann.

RESIGNATIONS PRESENTED.

The Chair here laid before the Senate and had read the following resignations:

August 6, 1901.

To the President and Members of the Senate of the State of Texas.

GENTLEMEN: As I have accepted another position, I beg to hereby tender my resignation as Assistant Enrolling Clerk during the present First Called Session.

Sincerely thanking each one of you for the many kindnesses and courtesies shown me in the past, and regretting not to be with you, I am,

Respectfully,

MARY DE ZAVALA.

Hon. J. N. Browning, President of the Senate.

DEAR SIR: Having accepted a position with Hon. Jno. W. Robbins, Treasurer, as a consequence of which I will be unable to resume my position as Committee Clerk and Private Secretary to yourself in the present Called Session of the Twenty-seventh Legislature, I hereby tender my resignation of said position.

Very respectfully,

G. C. MORRISS.

The foregoing resignations were declared accepted.

RESOLUTION TO FILL VACANCIES.

Senator Wilson offered the following resolution:

Resolved, That the President of the Senate be empowered to fill the vacancy made by the resignation of G. Cleveland Morriss."

Resolution was read first time, and

Senator Savage offered the following amendment:

"Amend by adding: 'If in his judgment he finds it necessary.'"

The amendment was read, and was adopted by the following vote:

Yeas—19.

Beaty.	James.
Davidson of	Johnson.
Galveston.	Lipscomb.
Grinnan.	Lloyd.
Harris of Bexar.	Neal.

Odell.	Staples.
Patterson.	Turney.
Potter.	Wayland.
Savage.	Wheeler.
Sebastian.	Yett.

Nays—7.

Hanger.	Swann.
Miller.	Turner.
Paulus.	Wilson.
Stafford.	

Present—Not voting.

Davidson of
DeWitt.

Absent.

Dibrell.	Harris of Hunt.
Goss.	McGee.

The resolution, as amended, was read and adopted by a rising vote.

REPORT OF GOVERNOR NOTIFICATION COMMITTEE.

Senator Turner, Chairman of the senatorial committee appointed to notify the Governor of the Senate's organization, appeared at the bar of the Senate and announced that the committee had reported as per the Senate's instructions.

RESOLUTION TO FILL VACANCIES.

Senator Stafford offered the following resolution:

Resolved, That Mrs. Laura Grinnan be elected Assistant Enrolling Clerk of the Senate to fill the vacancy caused by the resignation of Miss Mary de Zavala.

Resolution was read second time, and adopted.

Senator Odell offered the following resolution:

Be it resolved, That inasmuch as a vacancy exists in the position of porter, that the Sergeant-at-Arms be authorized to appoint a clerk to fill the vacancy at the same salary heretofore paid said porter."

Resolution was read second time, and adopted.

SPECIAL CLERK APPOINTED.

Under the last foregoing resolution C. H. Allen, Sergeant-at-Arms, announced the appointment of Bruce Sherrill, of Greenville, Texas.

EXECUTIVE MESSAGE.

The following executive message was here delivered, and laid before the Senate:

Texas State Library

EXECUTIVE OFFICE,
AUSTIN.
STATE OF TEXAS,

To the Legislature:

Agreeably to the terms of the proclamation under which the Legislature has been convened in present session, the following is submitted for its information and consideration:

1. THE APPROPRIATIONS FOR THE SUPPORT OF THE STATE GOVERNMENT AND FOR THE PUBLIC SERVICE.

The Comptroller estimates the net receipts to the general revenue for each of the two years beginning September 1, 1901, at \$2,625,000. The cash balance in the treasury to this fund on the 2nd, inst., was \$1,365,294.57. Deducting therefrom the unexpended balance of appropriations—general and special, heretofore made and subject to expenditure—\$921,325.89—there will remain an actual surplus in general revenue of \$443,968.68 on September 1st, next, not taking into account the receipts for the present month and appropriations made at the present session.

It is believed that the August receipts will amount to \$125,000. Should this sum and the estimates by the Comptroller for the two years be realized, there will be an aggregate, in general revenue, of \$5,818,968.68 for the two years ending August 31, 1903, against which appropriations to the extent of \$5,500,000 may be made. Beyond this limit the appropriations cannot safely go without danger to the credit of the treasury.

In connection with the usual appropriations for the penitentiaries, I have to most earnestly recommend that authority be given the Penitentiary Commissioners to erect a mill and to purchase suitable machinery, on credit, for the purpose of grinding the sugar cane to be grown next year and thereafter upon the William Clemens farm in Brazoria county.

This property was acquired by the Penitentiary Commissioners on December 9, 1899, and consists of 8,002 acres of land. Five thousand four hundred and twenty-seven acres were purchased and paid for, and 2,575 acres were leased, with an option to purchase the same. The State has now growing on the farm 1,000 acres in corn, 550 acres in sugar cane, 400 acres in cotton and about 200 acres in sorghum and other forage crops. There is now being cleared and prepared for planting during the next spring between 1,000 and 1,500 acres of new ground, so that the Commissioners will find themselves next season with about 2,200 acres in sugar cane and

about 1,500 acres in corn and forage, and will have ready next year for the mill about 40,000 tons of cane.

Without a sugar mill on the farm, the only practicable route for shipping the cane would be over the contemplated extension of the Cane Belt Railway to the large mills at Sugarland and Sartartia—a distance of almost 132 miles. The distance of transportation would be too great and would involve too much risk, besides it is clearly to the interest of the State to grind the cane on the farm, rather than to ship it to mills elsewhere. Moreover, a mill located on the Brazos river at the farm would be of great advantage to small farmers up and down the river for many miles. The value of the next year's crop should be about \$100,000, which would be a total loss should no mill be built and the Cane Belt Railway fail to reach the farm.

It is confidently believed by the Commissioners and other officials of the penitentiaries that a contract can be safely made for the erection of such a mill and for the most improved machinery—the cost thereof to be paid out of the revenues accruing to the penitentiary system, to which great loss will necessarily result unless authority be given the Commissioners as herein recommended.

An appropriation is also earnestly recommended by which the Volunteer Guard of the State can be assembled into an annual encampment and subjected to strict military discipline. The Federal government appropriates yearly for the Guard a sufficiency of quartermaster and ordnance stores. When it is considered that otherwise the Guard is maintained at the expense of its members, it is believed that the State should be more than willing to pay the cost of an annual ten days' encampment.

The especial attention of the Legislature is also invited to the pressing necessity of an immediate provision for a sufficient water supply at the Southwestern Insane Asylum. At present the quantity obtainable is altogether inadequate. Further delay in this matter might occasion great loss to life and property.

2. APPORTIONMENT OF THE STATE FOR CONGRESSIONAL, SENATORIAL, REPRESENTATIVE AND JUDICIAL PURPOSES.

After the 3rd day of March, 1903, the State of Texas will be entitled to representation by sixteen members in the House of Representatives of the Congress of the United States.

The Constitution of the State provides that the Legislature shall consist

of thirty-one Senators and not exceeding one hundred and fifty Representatives upon the ratio of not more than one Representative for every 15,000 inhabitants.

The division of the State into judicial districts is also a constitutional requirement, without limitation, however, as to number. It cannot be questioned that these districts, as now constituted, are very unequal as to the amount of work to be performed—some of the judges being overburdened, while others are not employed but little more than half of the year. A readjustment of many of the districts should be had.

It is earnestly recommended that the apportionment of the State into congressional, senatorial, representative and judicial districts be made by the Legislature at its present session.

I regret to have to advise the Legislature of the temporary suspension of the First National Bank of Austin, which was the agency employed by the State Treasurer and Secretary of State, as I am informed, to collect remittances to them. It is impossible at this time to give an accurate statement of the accounts of these officials with this bank, for the reason that the bank was closed on the 4th, inst., by a national bank examiner, under the direction of the Comptroller of the Currency, and he has not given out any statement by which it can be ascertained what remittances have been collected and what are still in process of collection and have not reached the bank. The president of the bank is absent from the city, but will return tomorrow; the cashier ill.

I beg to assure the Legislature that, in my judgment, there is not a taint of dishonesty or dishonor on the part of either of the officials named. Each of them is under a large and entirely solvent bond to the State.

I have requested the Treasurer and Secretary of State to furnish me as soon as practicable full and complete statements of both accounts. So soon as received, they will be forwarded to the Legislature for its information.

JOSEPH D. SAYERS,
Governor.

REPORT OF COMMITTEE FROM THE HOUSE.

A committee from the House of Representatives was announced, and made the following report:

Hon. J. N. Browning, President of the Senate.

SIR: We, the committee appointed by the Hon. R. E. Prince, Speaker of the House, beg leave to notify the Senate

that the House is organized and ready to transact business.

WELLS of Red River,
DOYLE,
ROBERTSON of Williamson.

REPORT OF HOUSE NOTIFICATION COMMITTEE.

Senator Stafford, Chairman of the senatorial committee appointed to notify the House of Representatives of the Senate's organization, appeared at the bar of the Senate and announced that the committee had reported as per the Senate's instructions.

BILLS AND RESOLUTIONS.

By Senator Wilson:

Senate bill No. 1, A bill to be entitled "An Act making an appropriation to pay mileage and per diem pay of members and mileage and per diem pay of officers and employes of the First Called Session of the Twenty-seventh Legislature of the State of Texas, convened August 6, 1901, by proclamation of the Governor."

Read first time, and referred to Committee on Finance.

By Senator Wilson:

Senate bill No. 2, A bill to be entitled "An Act making an appropriation to defray the contingent expenses of the First Called Session of the Twenty-seventh Legislature of the State of Texas, convened August 6, 1901, by proclamation of the Governor."

Read first time, and referred to Committee on Finance.

By Senator Potter:

Senate Concurrent Resolution No. 1:

Whereas, Major Luther R Hare, of the Twelfth Cavalry, Regular Army of the United States, graduated from West Point in June, 1874, with the rank of 2nd Lieutenant of Cavalry, since which time he has, by courage, ability and devotion to duty, reflected credit upon himself and honor upon Texas, as is shown by the record of his services as follows: Two years as 2nd Lieutenant of Cavalry, fourteen years as 1st Lieutenant of Cavalry and eleven years as Captain of Cavalry in the Regular Army, with intermediate and concurrent service as Lieutenant-Colonel and Colonel of First Texas Volunteer Cavalry in 1898; Colonel of the Thirty-third Volunteer Infantry in 1899, and Brigadier-General of Volunteers in 1900. During which years he participated in the following battles, engagements, etc.: Little Big Horn, Montana, in 1876; Cannon Creek, Montana, in 1877; Landing at San Fabian, in 1899; San Jacinto, in 1899; Tagna-

dan Pass, in 1899; San Jose, in 1899; In mountains, in 1899; Licuan, in 1900; besides leading the perilous and successful expedition for the rescue of Lieutenant Gilmore from December 13, 1899, to January 6, 1900, one of the most daring achievements of modern warfare, and leading also the expedition for the rescue of Captain Shields and his men from October 6 to 12, 1900; a record of daring and successful service rarely equaled in the annals of the American army, and which, in the judgment of the Legislature of the State of Texas, justly entitles the distinguished and faithful soldier to a rank which will be a fit reward for more than a quarter of a century of uninterrupted and arduous service, in which he has manifested the possession of every quality required of a capable commander; therefore, be it

Resolved, That upon the record Major Hare has made for himself the Legislature of the State of Texas does most earnestly and cordially commend him to the President of the United States for promotion to the rank of Brigadier-General in the Regular Army of the United States, and does request that he be so appointed, believing that his faithful and valiant services entitle him to that reward, as they also entitle Texas to the honor that will be conferred upon her by such promotion.

Resolved further, That duly enrolled and attested copies of this resolution be by the Governor transmitted to the President of the United States, to Nelson A. Miles, General in command of the United States army, to each of the delegation representing Texas in Congress, and a like copy be transmitted to Major Hare.

The second reading being dispensed with, the resolution was adopted.

Senator Potter moved to reconsider the vote by which the resolution was adopted, and lay that motion on the table.

The motion to table prevailed.

The Chair here declared the morning call concluded.

COMMITTEE REPORTS.

By unanimous consent, the following committee reports were made to the Senate:

Committee Room,
Austin, Texas, August 6, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 1, being a bill to be entitled "An Act making an appropriation to pay mileage and per diem pay of members and mileage and per diem pay

of officers and employes of the First Called Session of the Twenty-seventh Legislature of the State of Texas, convened August 6, 1901, by proclamation of the Governor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass and the same be not printed.

TURNEY,
JAMES,
WAYLAND,
SAVAGE,
YETT,
WILSON.

Committee Room,
Austin, Texas, August 6, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Senate bill No. 2, being a bill to be entitled "An Act making an appropriation to defray the contingent expenses of the First Called Session of the Twenty-seventh Legislature of the State of Texas, convened August 6, 1901, by proclamation of the Governor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass and the same be not printed.

TURNEY,
JAMES,
WAYLAND,
SAVAGE,
YETT,
WILSON.

APPOINTMENT OF CLERK ANNOUNCED.

The Chair announced the appointment of Mrs. H. M. Yarbrough as special committee clerk to fill the vacancy created by the resignation of Mr. G. C. Morris, and as provided for under the simple resolution by Senator Wilson (see above under heading of "Resolution to fill vacancy").

SENATE BILL NO. 1 (MILEAGE AND PER DIEM) ON ITS SECOND AND THIRD READINGS.

On motion of Senator Wilson, the Senate rule governing committee reports was suspended for the purpose of considering Senate bill No. 1 (see caption above).

On further motion of Senator Wilson the constitutional rule requiring bills to be read on three several days was, for the purpose of considering Senate bill

No. 1 on its second reading, suspended by the following vote:

Yeas—26.

Beaty.	Patterson.
Davidson of	Paulus.
DeWitt.	Potter.
Davidson of	Savage.
Galveston.	Sebastian.
Grinnan.	Stafford.
Hanger.	Staples.
Harris of Bexar.	Swann.
James.	Turner.
Johnson.	Turney.
Lipscomb.	Wayland.
Lloyd.	Wheeler.
Neal.	Wilson.
Odell.	Yett.

Nays—1.

Miller.

Absent.

Dibrell.	Harris of Hunt.
Goss.	McGee.

The Chair here laid before the Senate the regular order of business, Senate bill No. 1, on its second reading.

Bill was read second time, and ordered engrossed.

On motion of Senator Wilson, the constitutional rule requiring bills to be read on three several days was further suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Beaty.	Patterson.
Davidson of	Paulus.
DeWitt.	Potter.
Davidson of	Savage.
Galveston.	Sebastian.
Grinnan.	Stafford.
Hanger.	Staples.
Harris of Bexar.	Swann.
James.	Turner.
Johnson.	Turney.
Lipscomb.	Wayland.
Lloyd.	Wheeler.
Neal.	Wilson.
Odell.	Yett.

Nays—1.

Miller.

Absent.

Dibrell.	Harris of Hunt.
Goss.	McGee.

The bill was read third time, and passed by the following vote:

Yeas—26.

Beaty.	Hanger.
Davidson of	Harris of Bexar.
DeWitt.	James.
Davidson of	Johnson.
Galveston.	Lipscomb.
Grinnan.	Lloyd.

Neal.	Staples.
Odell.	Swann.
Patterson.	Turner.
Paulus.	Turney.
Potter.	Wayland.
Savage.	Wheeler.
Sebastian.	Wilson.
Stafford.	Yett.

Nays—1.

Miller.

Absent.

Dibrell.	Harris of Hunt.
Goss.	McGee.

SENATE BILL NO. 2 (CONTINGENT EXPENSES)—ON SECOND AND THIRD READINGS.

On motion of Senator Wilson, the Senate rule governing committee reports was suspended for the purpose of considering Senate bill No. 2 (see caption above).

On further motion of Senator Wilson, the constitutional rule requiring bills to be read on three several days was, for the purpose of considering Senate bill No. 2, on second reading, suspended by the following vote:

Yeas—26.

Beaty.	Patterson.
Davidson of	Paulus.
DeWitt.	Potter.
Davidson of	Savage.
Galveston.	Sebastian.
Grinnan.	Stafford.
Hanger.	Staples.
Harris of Bexar.	Swann.
James.	Turner.
Johnson.	Turney.
Lipscomb.	Wayland.
Lloyd.	Wheeler.
Neal.	Wilson.
Odell.	Yett.

Nays—1.

Miller.

Absent.

Dibrell.	Harris of Hunt.
Goss.	McGee.

The Chair here laid before the Senate the regular order of business, Senate bill No. 2 on its second reading.

Bill was read second time, and ordered engrossed.

On motion of Senator Wilson, the constitutional rule requiring bills to be read on three several days was further suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Beaty.	Davidson of
Davidson of	Galveston.
DeWitt.	Grinnan.

Hanger.	Savage.
Harris of Bexar.	Sebastian.
James.	Stafford.
Johnson.	Staples.
Lipscomb.	Swann.
Lloyd.	Turner.
Neal.	Turney.
Odell.	Wayland.
Patterson.	Wheeler.
Paulus.	Wilson.
Potter.	Yett.

Nays—1.

Miller.

Absent.

Dibrell.	Harris of Hunt.
Goss.	McGee.

The bill was read third time, and passed by the following vote:

Yeas—26.

Beaty.	Patterson.
Davidson of	Paulus.
DeWitt.	Potter.
Davidson of	Savage.
Galveston.	Sebastian.
Grinnan.	Stafford.
Hanger.	Staples.
Harris of Bexar.	Swann.
James.	Turner.
Johnson.	Turney.
Lipscomb.	Wayland.
Lloyd.	Wheeler.
Neal.	Wilson.
Odell.	Yett.

Nays—1.

Miller.

Absent.

Dibrell.	Harris of Hunt.
Goss.	McGee.

ADJOURNMENT.

On motion of Senator Davidson of DeWitt, the Senate, at 1:15 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

SECOND DAY.

Senate Chamber,
Austin, Tex., Wednesday, Aug. 7, 1901.

The Senate met pursuant to adjournment.

President Pro Tem. Neal in the chair.

The roll was called, a quorum being present, the following Senators answering to their names:

Beaty.	Harris of Bexar.
Davidson of	James.
DeWitt.	Johnson.
Davidson of	Lipscomb.
Galveston.	Lloyd.
Grinnan.	Miller.
Hanger.	Neal.

Odell.	Swann.
Patterson.	Turner.
Paulus.	Turney.
Potter.	Wayland.
Savage.	Wheeler.
Sebastian.	Wilson.
Stafford.	Yett.
Staples.	

Absent.

Dibrell.	Goss.
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The following Senators, absent on yesterday (opening day), were present and answered to the roll call:

E. W. Harris, of Hunt county, representing District No. 5, composed of the following counties: Collin, Hunt.

M. P. McGee, of Harrison county, representing District No. 8, composed of the following counties: Harrison, Rusk, Panola, Shelby.

Making the total number present, 29.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday (first day), the same, on motion of Senator Wilson, was dispensed with.

EXCUSED.

On motion of Senator Stafford, Senator Harris of Hunt was excused for non-attendance upon the Senate yesterday on account of sickness.

On motion of Senator Potter, Senator McGee was excused for non-attendance upon the Senate yesterday on account of sickness in his family.

COMMITTEE REPORTS.

The following committee reports were made to the Senate:

Committee Room,
Austin, Texas, August 6, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 1, being a bill to be entitled "An Act making an appropriation to pay mileage and per diem pay of members and per diem pay of officers and employes of the First Called Session of the Twenty-seventh Legislature of the State of Texas, convened August 6th, 1901, by proclamation of the Governor,"

And find the same correctly engrossed.

BEATY, Chairman.

Committee Room,
Austin, Texas, August 6, 1901.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed